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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

12/18/2003 EFLORES 00000041 061205 10736545

1 FC:1001	770.00	OP
2 FC:1201	430.00	OP
3 FC:1202	144.00	OP
4 FC:1203	10.00	DA
	280.00	OP

03/30/2004 BHABTEW 00000001 061205 10736545

01 FC:1201 86.00 DA

Adjustment date: 07/15/2004 EEKUBAYI
03/30/2004 BHABTEW 00000001 061205 10736545
01 FC:1201 86.00 CR

PTO-1556
(5/87)

03500.017338



SEARCHED
INDEXED
MAILED
ZMA MAY 25 PM 4:26

DEP & Ref
#304

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASAHIRO KAWAGUCHI ET AL.) Examiner: Not Yet Assigned
Application No.: 10/736,545) Group Art Unit: 1645
Filed: December 17, 2003)
For: DNA MICRO-ARRAY HAVING)
STANDARD PROBE AND KIT)
INCLUDING THE ARRAY) May 20, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$86.00 for independent claims in excess of three, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On December 17, 2003, Applicants filed a Utility Patent Application Transmittal (see attached copy of the Transmittal and a postcard acknowledging receipt of the filing fee). At that time, Applicants paid for the basic filing fee with 28 claims (\$144.00) and 8 independent claims (5 in excess of 3 - \$420.00), the basic filing fee (\$770.00), and a multiple dependent claims fee (\$290.00), for a total filing fee of \$1,624.00.

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The official filing receipt issued by the Patent Office indicates that there are nine (9) independent claims. Consequently, the Patent Office charged Deposit Account 06-1205 an \$86.00 fee for the ninth independent claims, as indicated in a Monthly Statement of Deposit Account, dated March 31, 2004, (copy attached). Since, in fact, there are only eight (8) independent claims in the subject application as originally filed (Claims 1, 2, 8, 11, 13, 14, 20, and 26), a refund of \$86.00 is due to Applicants.

Accordingly, Applicants hereby request a refund and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$86.00 to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants
Registration No. 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 428080v1



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Natalia Palop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date 12/17/03
Mo. Day Yr.

Atty. Docket 03500.017338

Sir:

Kindly acknowledge receipt of the accompanying:

- Specifications, claims and abstract 61 pages, with Transmittal Form
 Patent Application Bibliographic Data Sheet 3 sheets
 Executed Oath or Declaration and Power of Attorney
 4 Sheets of L formal informal drawings 22390 U.S. PTO
 Check for \$ 162400 (filing fee) 10/736545
 Request for Continued Examination and Check for \$ _____
 Assignment, PTO-1595 and Check for \$ 4000 
 Transmittal Under 37 CFR 1.53(d) (CPA) 121703
 Petition under 37 CFR 1.136 and check for \$ _____
 Other (specify) IDS w/12 refs; Submission of CRF w/disk & paper
by placing your receiving date stamp hereon and mailing or returning to deliverer.
This is a Continuation Divisional Continuation-In-Part

Atty. J-MD

Due Date 2/24/04
Mo. Day Yr.

37 CFR 1.8
37 CFR 1.10
By Hand

FCHS-A-8



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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	03500.017338
First Named Inventor or Application Identifier	
MASAHIRO KAWAGUCHI ET AL.	
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- | | |
|---|---|
| 1. <input type="checkbox"/> Fee Transmittal Form
(Submit an original, and a duplicate for fee processing) | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 2. <input type="checkbox"/> Applicant claims small entity status.
See 37 CFR 1.27. | 8. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary) |
| 3. <input checked="" type="checkbox"/> Specification Total Pages 61 | a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) Total Sheets 04 | b. Specification Sequence Listing on: |
| 5. <input checked="" type="checkbox"/> Oath or Declaration Total Pages 02 | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or |
| a. <input checked="" type="checkbox"/> Newly executed (original or copy) | ii. <input checked="" type="checkbox"/> paper |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed) | c. <input checked="" type="checkbox"/> Statements verifying identity of above copies |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S)
Signed Statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | |
| 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | |

ACCOMPANYING APPLICATION PARTS		
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)	<input type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input checked="" type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment	14. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	16. <input type="checkbox"/> Other: _____	_____
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: Prior application information: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. <u>PCT/JP03/07918</u> Examiner _____ Group/Art Unit: _____		

For CONTINUATION OR DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		05514 (Insert Customer No. or Attach bar code label here)		<input type="checkbox"/> Correspondence address below	
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	28-20 =	8	X \$ 18.00 =	\$ 144.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	8-3 =	5	X \$ 86.00 =	\$ 420.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			\$290.00 =	\$ 290.00
				BASIC FEE (37 CFR 1.16(a))	\$ 770.00
				Total of above Calculations =	\$1,624.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$1,624.00

19. Small entity status

- a. A small entity statement is enclosed
- b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer claimed.

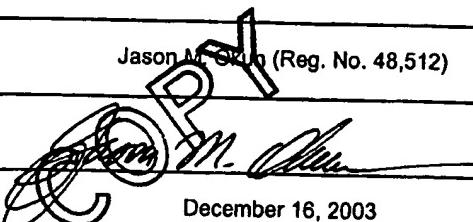
20. A check in the amount of \$ 1,624.00 to cover the filing fee is enclosed.

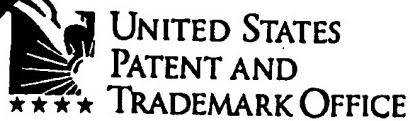
21. A check in the amount of \$ 40.00 to cover the recordal fee is enclosed.

22. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1205:

- a. Fees required under 37 CFR 1.16.
- b. Fees required under 37 CFR 1.17.
- c. Fees required under 37 CFR 1.18.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Jason M. Skun (Reg. No. 48,512)
SIGNATURE	
DATE	December 16, 2003



MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

FITZPATRICK CELLA HARPER & SCINTO

30 ROCKEFELLER PLAZA

NEW YORK NY 10112-3801



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Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

Account No. 061205
Date 3-31-04
Page 4

PLEASE SEND REMITTANCES TO:
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P.O. Box 70541
Chicago, IL 60673

DATE POSTED		CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEES CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.					
3	29	04	52	02280.002820	8014	25.00	56187.00
3	29	04	69	00862.623521	9204	-54.00	56241.00
3	29	04	112	03500.017991.	1203	288.00	55953.00
3	29	04	456	01997.001800.	1703	260.00	55693.00
3	29	04	458	01997.001800	8007	40.00	55653.00
3	30	04	1	03500.017338	1201	86.00	55567.00
3	30	04	70	02964.002543	9204	-68.00	55635.00
3	30	04	126	03500.013805.1	1201	172.00	55463.00
3	30	04	127	03500.013805.1	1806	180.00	55283.00
3	30	04	128	03500.018001	1202	90.00	55193.00
3	30	04	157	01807.004480	9204	-432.00	55625.00
3	30	04	203	03500.016628	1806	180.00	55445.00
3	30	04	385	00946.006022	8007	40.00	55405.00
3	30	04	387	00946.006017	8007	40.00	55365.00
3	30	04	432	02521.000212	8007	40.00	55325.00
3	30	04	462	021050024421N	8014	25.00	55300.00
3	30	04	1045	01781.00T189.US	7004	150.00	55150.00
3	31	04	1	00694.003006.1	1201	172.00	54978.00
3	31	04	5	02431.000000	6004	150.00	54828.00
3	31	04	6	02431.000000	6001	335.00	54493.00
3	31	04	7	NUT IN OXYGEN SYSTEM	8009	240.00	54253.00
3	31	04	45	02500.000010	1201	2.00	54251.00
3	31	04	98	00862.018055.	9204	-90.00	54341.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT				OPENING BALANCE 41465.00	TOTAL CHARGES 14381.00	TOTAL CREDITS 27257.00	CLOSING BALANCE 54341.00